

**BEFORE THE  
PUBLIC SERVICE COMMISSION OF WISCONSIN**

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**Application of Northern States Power Company-  
Wisconsin for a Certificate of Public Convenience and  
Necessity to Repower the Wheaton Generating Station  
in Chippewa County, Wisconsin**

**4220-CE-185**

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**REQUEST TO INTERVENE  
AND NOTICE OF APPEARANCE FOR  
CLEAN WISCONSIN**

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Pursuant to Wis. Admin. Code § PSC 2.21, Clean Wisconsin hereby files this request to intervene in the above-captioned matter. For the reasons stated below, the Commission should grant this Request to Intervene because Clean Wisconsin satisfies the standards for both intervention by right and permissive intervention.

**I. THE COMMISSION SHOULD GRANT CLEAN WISCONSIN  
INTERVENTION BY RIGHT**

The Commission's standard for intervention by right requires an intervenor to demonstrate a substantial interest that may be affected in the proceeding. Wis. Admin. Code § PSC 2.21(1). Clean Wisconsin satisfies this standard. Clean Wisconsin is a nonprofit Section 501(c)(3) organization that works to protect Wisconsin's air and water, and advocates for clean energy. Founded in 1970 as Wisconsin's Environmental Decade, Clean Wisconsin has over 20,000 members and supporters statewide and has been a full party in many proceedings before the Commission. Hundreds of Clean Wisconsin members live and work in the vicinity of the proposed project and/or the applicant's service territory and will be affected by decisions made in this proceeding. Additionally, Clean Wisconsin members have an interest in protecting natural resources and promoting a healthy environment, including mitigating climate change.

Clean Wisconsin, as a membership organization committed to protecting the environment, has the authority to intervene on behalf of its members in this proceeding. *See Wisconsin's Environmental Decade, Inc. v. Public Service Commission of Wisconsin*, 69 Wis. 2d 1, 20 (1974) (“[A]n organization devoted to the protection and preservation of the environment has standing to sue in its own name if it alleges facts sufficient to show that a member of the organization would have had standing to bring the action in his own name.”). Accordingly, the Commission should grant Clean Wisconsin intervention by right.

## **II. IN THE ALTERNATIVE, THE COMMISSION SHOULD GRANT CLEAN WISCONSIN PERMISSIVE INTERVENTION**

The Commission standard for permissive intervention requires an intervenor to demonstrate that the intervenor will likely promote the proper disposition of the issues in the proceeding and will not impede the timely completion of the proceeding. Wis. Admin. Code §PSC 2.21(2). Clean Wisconsin will promote the proper disposition of the issues through its participation in this proceeding to consider the impacts of the applicant’s proposal. Additionally, the Commission has not filed a Notice of Proceeding in this docket nor has any schedule been set, and Clean Wisconsin will comply with all Commission deadlines in this proceeding. Accordingly, Clean Wisconsin satisfies the Commission standard for permissive intervention.

Therefore, the Commission should grant Clean Wisconsin intervention by right in this proceeding or, in the alternative, permissive intervention.

## **III. NOTICES OF APPEARANCE**

Katie Nekola and Brett Korte will serve as the points of contact for Clean Wisconsin in this case. All further documents and correspondence should be served on:

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Dated this 2nd day of May 2023.

Respectfully Submitted,

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